

Patent Application No. 09/548,141

**REMARKS**

This Response is in response to the Office Action dated July 8, 2003. In the Office Action, claims 1-5, 7-21, 23, 24, 28-30, and 33-39 were rejected under 35 USC §102, and claims 6 and 25-27 were rejected under 35 USC §103. Currently pending claims 1-39 are believed allowable, with claims 1, 17, 28, 38, and 39 being independent claims.

**CLAIM REJECTIONS:**

Claims 1-5, 7-21, 23, 24, 28-30, and 33-39 stand rejected under 35 USC §102 as anticipated by U.S. Patent No. 6,320,848 to Edwards et al. ("Edwards"). Edwards appears disclose methods for altering dynamic decision trees in packet-based data communication networks. Edwards, col. 1, lines 5-10. Edwards describes a decision tree manager 20 utilizing a decision tree stored in memory. Edwards, col. 2, lines 8-20. The decision tree contains various instructions that are performed in response to packets received by the decision tree manager 20. Edwards, col. 2, lines 21-36. The decision tree is defined by rules containing a set of conditions that a received packet must match, and a set of actions that are performed when the conditions are satisfied. Edwards, col. 2, lines 37-50.

It may be necessary to add rules at times and Edwards discloses a three-phase process of doing so. Edwards, col. 4, lines 66-67. During the first phase, a "NodeInfo" array is recursively assembled to examine all the paths affected by the rule addition. Edwards, col. 6, lines 40-43. At the second phase, "switch nodes" are added to the rule tree using backpointers in the NodeInfo array. Edwards, col. 6, lines 46-53. In addition, duplicate nodes are detected and combined into a single shared node during the second phase. Edwards, col. 6, lines 54-68. Finally, during the third phase, new and modified nodes in the rule tree are transformed into instructions, thereby producing a corresponding modified decision tree. Edwards, col. 10, lines 9-12.

In contrast to Edwards, Claim 1 of the present Application recites, in part, "successively passing the data packet to each child of a first tree level until a first child of the first tree level of the classification tree indicates a satisfaction of a node-criteria packet matching function of said first child." As discussed above, Edwards discloses a three-phase process

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for modifying a rule tree. Edwards does not teach or suggest classifying a data packet by passing it to each child of a tree level until satisfaction of a node-criteria of the first child, as claimed in Claim 1. For at least this reason, Claim 1 is believed not anticipated by Edwards and it thus allowable over the cited art.

Claims 2-3, 12-16, 22-27, and 33-35 are dependent on and further limit Claim 1. Since Claim 1 is believed allowable over the cited art, Claims 2-3, 12-16, 27, and 33-35 are also believed allowable over the cited art.

Claim 7 recites, "A method for classifying a packet, said method comprising suspending a packet classification process in progress for said packet; and obtaining external information employed in said classifying." As discussed above, Edwards discloses a three-phase process for modifying a rule tree. Edwards does not teach or suggest suspending a packet classification process in progress, as claimed in Claim 7. For at least this reason, Claim 7 is believed not anticipated by Edwards and it thus allowable over the cited art.

Claims 8-11 and 36 are dependent on and further limit Claim 7. Since Claim 7 is believed allowable over the cited art, Claims 8-11 and 36 are also believed allowable over the cited art.

Claim 17 recites, in part, "passing said packet and a first disposition of said packet to an external process; and said external process augmenting the packet disposition by employing a process specific means; and returning the augmented packet and an augmented disposition to the child node." As discussed above, Edwards discloses a three-phase process for modifying a rule tree, and does not teach the cited limitations of Claim 17. For at least this reason, Claim 17 is believed not anticipated by Edwards and it thus allowable over the cited art.

Claims 18-21 and 37 are dependent on and further limit Claim 17. Since Claim 17 is believed allowable over the cited art, Claims 18-21 and 37 are also believed allowable over the cited art.

Claim 28 recites, in part, "a packet module to successively pass the packet from child node to child node at a next tree level until a first child node of the next tree level of the classification tree which indicates a satisfaction of a node-criteria of the first child node, and to form the data

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packet into a matched packet until no first child node of at a succeeding next level indicates satisfaction of the first node-criteria of the first child node of the succeeding next level." As discussed above, Edwards discloses a three-phase process for modifying a rule tree, and does not teach the cited limitations of Claim 28. For at least this reason, Claim 28 is believed not anticipated by Edwards and it thus allowable over the cited art.

Claims 29-32 are dependent on and further limit Claim 28. Since Claim 28 is believed allowable over the cited art, Claims 29-32 are also believed allowable over the cited art.

Claim 38 recites, in part, "means for successively passing the data packet to each child of a first tree level until a first child node of the first tree level of the classification tree indicates a satisfaction of a node-criteria of said first child node, and the first child node forming said data packet into a matched packet." As discussed above, Edwards discloses a three-phase process for modifying a rule tree, and does not teach the cited limitations of Claim 38. For at least this reason, Claim 38 is believed not anticipated by Edwards and it thus allowable over the cited art.

Claim 39 recites, in part, "means for passing said packet and a first disposition of said packet to the external process, said external process to augment the packet disposition by employing a process specific means and to return an augmented packet with an augmented disposition to the child node." As discussed above, Edwards discloses a three-phase process for modifying a rule tree, and does not teach the cited limitations of Claim 39. For at least this reason, Claim 39 is believed not anticipated by Edwards and it thus allowable over the cited art.

**CONCLUSION**

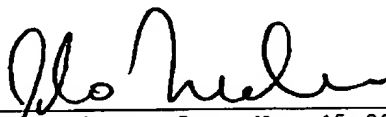
In view of the forgoing remarks, it is respectfully submitted that this case is now in condition for allowance and such action is respectfully requested. If any points remain at issue which the Examiner feels could best be resolved by a telephone interview, the Examiner is urged to contact the attorney below.

No fee is believed due with this Amendment, however, should a fee be required please charge Deposit Account 50-0510. Should any extensions of

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time be required, please consider this a petition thereof and charge Deposit Account 50-0510 the required fee.

Respectfully submitted,



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